

IN THE CLAIMS:

Please amend the claims as follows:

Claim 1. (Original) A toner consisting of either a black toner or a color toner for use in an oil-less fixing system free from an oil coating on a fixing roller, the toner comprising:

a binder resin and a wax, as well as carbon black having an oil absorption of 50 to 100 mL/100g where the toner is the black toner, or a coloring agent where the toner is the color toner,

wherein said binder resin has a rate of decrease of storage elastic modulus  $G'$  of not more than  $0.3 \text{ Pa/}^\circ\text{C}$  as determined in association with temperature increase in the range of 160 to  $200^\circ\text{C}$ .

Claim 2. (Original) A toner according to Claim 1, wherein said binder resin has a weight average molecular weight  $[M_w]$  in the range of 10,000 to 200,000 and an  $[M_w/M_n]$  ratio between  $[M_w]$  and a number average molecular weight  $[M_n]$  of the binder resin in the range of 1 to 15.

Claim 3. (Amended) A toner according to Claim 1-~~or~~2, wherein said binder resin has a peak rate of decrease of the storage elastic modulus  $G'$  in the temperature range of 70 to  $100^\circ\text{C}$ .

Claim 4. (Original) A toner according to Claim 1, wherein a content of said wax is not more than 10 parts by weight based on 100 parts by weight of said binder resin.

Claim 5. (Original) A toner according to Claim 1, wherein said toner is the black toner, said binder resin is a polyester resin, and said wax is a Fischer-Tropsh wax.

Claim 6. (Original) A toner according to Claim 1, wherein said toner is the black toner and used for forming a color image.

Claim 7. (Original) A toner according to Claim 1, wherein said toner is the color toner and said binder resin contains a styrene-acryl resin, polyester resin, epoxy resin or phenol

resin.

Claim 8. (New) A toner according to Claim 2, wherein said binder resin has a peak rate of decrease of the storage elastic modulus  $G'$  in the temperature range of 70 to 100°C.